

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION - CINCINNATI

OATLY AB, et al.,	:	Case No. 1:17-cv-840
	:	
Plaintiffs,	:	Judge Matthew W. McFarland
	:	
v.	:	
	:	
D'S NATURALS LLC,	:	
	:	
Defendant.	:	
	:	

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ORDER GRANTING PLAINTIFFS OATLY AB AND OATLY INC.'S MOTION TO  
PERMANENTLY SEAL DOCUMENTS (DOC. 109)

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This case is before the Court on Plaintiffs Oatly AB and Oatly Inc.'s unopposed Motion to Permanently Seal Documents (Doc. 109). The Court finds that Plaintiffs have shown compelling reasons justifying the permanent seal of select information in the Court's docket. Namely, the sealed information contains competitively sensitive information, including confidential product research and development and future business plans. Importantly, Plaintiffs have narrowly tailored the scope of the seal to protect only the competitively sensitive information at issue. From the pleadings and redacted versions of the briefs filed in the public docket, the public can discern the nature of the parties' dispute and will ultimately be able to understand the reasoning underlying the Court's ruling on the parties' dispositive motions. Accordingly, the Court hereby **GRANTS** the motion and rules as follows:

1. The sealed versions of the parties' summary judgment briefing (Docs. 87, 88, 92, 92-1, 98, 98-1, 99, 99-1, 102 and 104) shall remain permanently under seal.

2. The following information in the parties' publicly filed summary judgment briefing (Doc. 91, 91-1, 94, 100, 101, 106, and 107) shall remain permanently redacted:

ECF No.	Document Description	Pages Containing Proposed Redactions
88-1	D's Naturals Statement of Facts	PageID 1585 (¶¶ 13, 28)
91	Oatly's Motion for Summary Judgment and Memorandum in Support	PageID 1991, 1997
91-1	Oatly's Statement of Undisputed Material Fact	PageID 2008, 2009, 2011, (¶¶ 14, 15, 21, 30)
94	D's Naturals Redacted Memorandum in Support of its Motion for Summary Judgment	PageID 2061–62, 2067-69, 2076
98-1	D's Naturals' Response to Oatly Proposed Statement of Undisputed Facts and Proposed Disputed Issues of Material Fact (currently entirely under seal)	PageID 2196, 2197, 2198, 2199, 2200, 2202, 2203 (¶¶ 14, 15, 16, 21, 27, 29e, 30) PageID 2209 (¶¶ 1, 2)
99-1	Oatly's Response to D's Naturals' Proposed Statement of Undisputed Facts and Proposed Disputed Issues of Material Fact (currently entirely under seal)	PageID 2237, 2241 (¶¶ 13, 28)
100	D's Naturals' Opposition to Oatly's Motion for Summary Judgment	PageID 2250–2259
106	D's Naturals' Reply in Support of its Motion for Summary Judgment	PageID 2365, 2370–72, 2375, 2380
107	Oatly's Reply in Support of its Motion for Summary Judgment	PageID 2390, 2397–98

3. Paragraph 7 of the Declaration of Mike Messersmith shall be permanently redacted.
4. The documents supporting the parties' summary judgment briefing that are temporarily sealed (Docs. 85-1, 90-1, 90-2, 90-3, 90-4, 90-5, 90-6, 90-7, and 90-8) shall be permanently sealed.

To the extent necessary to conform the parties' summary judgment briefing to this Order, Plaintiffs shall submit via email an updated version of any previously filed document to [McFarland\\_Chambers@ohsd.uscourts.gov](mailto:McFarland_Chambers@ohsd.uscourts.gov). After review, the Court will file such document(s) in the public docket with a reference to the previously filed document that it replaces.

**IT IS SO ORDERED.**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO

By:   
JUDGE MATTHEW W. McFARLAND